



New Jersey Department of Children and Families Policy Manual

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Purpose:

This issuance establishes case-handling responsibilities, considerations, and procedures that apply to SPRU Staff due to the nature of SPRU work.

Authority:

- N.J.S.A. 30:4C-26b
- "Maggie's Law" (P.L. 2003, c.143)

Policy:

A) Educational Stability

Pursuant to N.J.S.A. 30:4C-26b, enacted September 9, 2010, a child placed out of home by CP&P must continue to attend his or her pre-placement school, unless it is not in the child's best interest to do so. Based on the tenets of the State statute, the CP&P Worker must be available to transport the child (ren) to school the first school day following placement before the start of the CP&P workday (9:00 a.m.).

B) Children Left at Day Care Centers Beyond Closing – SPRU Worker Role

A child may be inadvertently left by a parent at a day care center due to various reasons or circumstances; an action or failure to act which may or may not be due to neglect. As a general rule, CP&P takes no action to intervene until one (1) hour beyond the time the child is picked up by the parent or caregiver. Upon receipt of such an assignment from SCR, the SPRU Worker must:

- Contact the reporter to ensure that there is no change in the circumstances of the reported situation;
- Attempt to contact the parent or caregiver by telephone, cell, or home visit;

- Attempt to contact any family resource through the telephone or contact numbers provided by the reporter; and
- Meet with the child to ascertain whether another resource can be identified.

If the parent or caregiver or a relative resource cannot be found or identified, and the child must be placed, the situation must be handled as an emergency removal without parental consent; see CP&P-II-C-2-700, Emergency Removal without a Court Order under Title 9. The SPRU Worker leaves a letter, Notice of Emergency Removal, CP&P [Form 21-6](#), at the client home, and provides a copy to the day care center. The child is examined by a physician prior to placement. The SPRU Worker then places the child with a relative (see CP&P-IV-B-2-100, Placing Children with Kinship Caregivers), in a licensed resource home, or in a juvenile shelter, as appropriate.

C) Compliance with Maggie's Law

If a SPRU Worker can reasonably predict that he or she will not be afforded any sleep for 24 consecutive hours due to the performance of official duties - example: Working late hours on SPRU, following CP&P day work, without a viable break for sleep or repose (a minimum of three (3) consecutive hours of sleep) - he or she must notify the SPRU Supervisor at or before the 23rd hour, so that arrangements can be made for relief.

The SPRU Supervisor activates another SPRU Worker or the Back-Up SPRU Worker, to serve as either a SPRU Buddy, to operate the motor vehicle, or to fully relieve the SPRU Worker from SPRU duty that day. The SPRU Supervisor may authorize the SPRU Worker to use public transportation or a taxi service, especially if the SPRU Worker is transporting children.

Procedures:

1) Educational Stability - SPRU Transporting Child to School First School Day After Placed

In some jurisdictions, the SPRU Worker who removed and placed the child is responsible for transporting the child to school that first school day after placement (unless the resource family parent - particularly a relative - is willing to transport). In other jurisdictions, the Local Office Manager may designate an Intake Worker, Permanency Worker, or Case Aide to transport the child (ren) to school until formal transportation arrangements are made.

The expectation is that there is no lapse in attending school, unless it is unreasonable to expect the child to be ready to attend school that next day, due

to the time of placement in the resource home (for example, placement in the home occurred at 4 a.m.)

If the SPRU Worker is unable to transport the child, he or she contacts the SPRU Supervisor. The SPRU Supervisor contacts the Local Office Manager or designee regarding the issue. If the Local Office Manager does not have the staffing resources to transport the child (ren) to school the next school day after placement, the Local Office Manager immediately contacts SCR and leaves special instructions, authorizing SCR to notify the SPRU Worker on-call during the morning shift, to respond to the resource home to transport the child to school.

If the SPRU Worker, who removed and placed the child, transports the child to school, he or she earns "active hours" for compensation for the time spent transporting the child to school, and taking action, as appropriate, to assure that the child safely enters the school building. The SPRU Worker does not earn additional "shift time" for transporting the child to school.

Note: For information about educational stability philosophy and requirements, see [CP&P-VII-A-1-100](#), Educational Stability, and [CP&P-VII-A-1-700](#), Educational Stability for Children Placed in Resource Family Homes.

2) Transporting a Child with a Physical Disability

When transporting a child with a physical disability, the SPRU Worker (and Buddy, if activated) determines if the child requires special transportation. The Worker consults the SPRU Supervisor to secure a proper vehicle that accommodates the child's disability and specific needs. The Worker calls the local Mobility Assistance Transportation (MAV) provider to determine if the child is known. See the list of MACCs (http://www.state.nj.us/humanservices/dmahs/info/resources/macc/MACC_Directory.pdf).

3) Child in Need of Psychiatric Hospitalization - Services Provided by SPRU

If a SPRU Worker is activated to wait with a child at a hospital until a hospital bed becomes available, that Worker should:

- Advocate for the child's placement into an appropriate hospital bed/treatment program as expeditiously as possible;
- Ensure that the child's immediate, physical needs are met while he or she awaits treatment. Advocate for the child's needs with hospital emergency room staff, if necessary (e.g., ensure he or she is fed, he or she has a quiet place to rest, etc.);

- Ensure that the child does not harm him or herself or others (involve hospital security, if necessary);
- Counsel and support the child while the child awaits admittance;
- Notify the SPRU Supervisor of the need for a back-up plan, if it appears that the wait will be two hours or longer;
- The next work day the SPRU Coordinator advises Local Office or county administration of the situation;
- Bring the issue to the attention of management;
- Document and track such case situations or problems with specific hospitals or providers;
- Outline any resultant SPRU coverage problems;
- Advocate for resolution, including development of affiliation agreements with hospital staffs or local provider agencies; and
- Advocate for the development of purchase-of-service agreements with local providers.

4) Contacting the Reporter (Referral Source)

Upon receipt of an assignment from SCR, the SPRU Worker telephones the reporter (referral source), when possible and appropriate, to:

- Advise the reporter of the estimated arrival time of the SPRU Worker at the client home or child's physical location. (This call is a professional courtesy, to enable the reporter to best plan for the immediate protection, safety, and physical comfort of the child and family while awaiting the SPRU emergency response.);
- Verify identifying information (e.g., family member names, birth dates, ages, address, telephone number, etc.);
- Seek updated information;
- Further clarify or expand upon the information received from SCR (after this conversation the SPRU Worker may want to re-contact the SCR Screener and compare information obtained);

- Elicit his or her aid and assistance in the after-hours response, if appropriate;
- Advise whether SPRU or CP&P day staff should conduct an investigation or intervention;
- Refer the child or family to a local community service provider other than CP&P, if appropriate (e.g., link the family to a homemaker service).

5) Whether to See the "Other" Parent

If a SPRU Worker investigates an incident which appears to be unconfirmed, and there is a parent or another child or sibling who resides outside the family home in a separate household, the SPRU Worker consults the SPRU Supervisor as to the need for SPRU to see that non-offending parent or child to complete the CPS investigation; or if the matter can be held for day staff follow up. The SPRU Supervisor determines whether the SPRU Worker should make the contact if not possible that day, whether the matter should be re-referred to the next day's SPRU Worker. If the other parent or child resides in another county, the SPRU Supervisor determines whether SCR should assign the matter to another county's SPRU operation as a secondary assignment.

6) Attempted Field Contacts

When responding to a CPS allegation, SPRU Workers are required to initiate a minimum of three (3) attempts to contact the client family after hours. See [CP&P-II-C-5-125](#), Good Faith Effort. Make attempts throughout the day or night of assignment. Wait at least one hour between subsequent attempts unless there are clear indications that the family will "return home" before then.

Consult the SPRU Supervisor after making two (2) unsuccessful attempts. The SPRU Supervisor determines whether a third attempt - or additional subsequent attempts - should be made, and when and how the attempt(s) is to be made by SPRU. The SPRU Worker attempts to contact the family at differing times of the day or night, in consultation with the SPRU Supervisor. Do not wait until the end of the shift to notify the SPRU Supervisor.

If a clear indication is found that the family does not reside at the address provided - the address is an abandoned property, or it is learned that the family is on vacation, etc. - the SPRU Worker is required to apprise the SPRU Supervisor of the situation immediately. Determine whether there are other options available to make contact. Confirm that no additional attempts by SPRU are necessary.

Contact the reporter or an identified collateral source for additional or clarifying information, verification of the address, directions, or description of the home,

etc. Consider whether the police could assist with finding or confirming a given street address.

If the case is open, contact the assigned Worker for details. Ask the SCR Screener to consult NJ SPIRIT (for former addresses of the family, member location information, etc.), or other computer screens for possible leads.

The SPRU Worker and SPRU Supervisor determine, together, whether to call the family home if a telephone number is available (thereby eliminating the benefits of an unannounced visit). Determine whether the SPRU Worker should contact a neighbor(s) in attempting to locate the child and family.

The SPRU Worker documents all unsuccessful attempts in his or her SPRU Worker report, DCF Form [2-1](#), Investigation Summary. Document the extra steps or strategies used to try to make personal contact. Document the SPRU Supervisor's assistance and directives.

If the assignment is made to SPRU during a weekend, initiate continued efforts throughout the weekend to contact the family (See [CP&P-II-D-2-700](#), Field Work Beyond End of SPRU Duty). The case may be reassigned to another SPRU Worker upon change in SPRU Worker shifts. The decision to reassign a case is made by the SPRU Supervisor and SPRU Worker. Reassignments are made by SCR staff.

7) Medical Examinations and Treatment After-Hours

SPRU Workers are encouraged to consult his or her SPRU Supervisors regarding any issues relevant to obtaining medical examinations or treatment for children after-hours. These issues include child protective services concerns, confidentiality considerations (particularly around HIV-related matters), authority to provide consent, payment issues, and agency or personal liability issues. Pediatric Medical Consultants (physicians based at CARES Institute) are on-call 24 hours, seven days a week, and are available to CP&P field staff and SCR staff for consultation on individual medical cases. (See [CP&P After-Hours Pediatric Medical and Psychiatric Consultation Protocol](#))

Unless parental rights have been terminated, obtaining a medical consent from the child's parent(s) or guardian, regardless of whether the child resides at home or in CP&P-approved placement, is preferable to CP&P providing such consent.

For issuing consent to psychotropic medication, see the DCF [Psychotropic Medication Policy](#).

8) Request to Remove a Child from a Resource Family Home After-Hours

Any change or disruption in a child's placement is carefully thought out because it may jeopardize the child's capacity to trust his or her environment and the adults around him or her. It can have serious negative consequences to the child's sense of security and self-worth.

Changes in placement should only be made with planning and care, to ensure:

- The child understands what is taking place and why,
- Attempts to resolve presenting problems and preserve the current placement have been undertaken, and have failed,
- A plan to return the child home or reunite him or her with family is considered and ruled out first, as appropriate,
- Educational stability (See CP&P-VII-A-1700, Educational Stability for Children Placed in Resource Family Homes),
- Steps are initiated, as necessary, to locate an appropriate, least restrictive setting for the child.

Pursuant to an agreement signed by all resource parent providers and CP&P, 15 days' notice must be given by the resource parent prior to any removal of a child (See CP&P-II-C-2-700 name of policy), to enable CP&P to make suitable, safe alternative placement arrangements. The only exceptions are:

- The child is at risk of serious physical or emotional harm if he or she remains in the resource home;
- The resource family is, or perceives itself to be, at risk of harm if the child remains in the resource home;
- The resource family has experienced or is experiencing a personal emergency and is unable to make alternate plans for the child; or
- The resource parent(s) is threatening to abandon the child or the child is threatening to runaway unless CP&P removes him or her.

Removal from a resource home after hours, on weekends, or holidays may be particularly disruptive and detrimental to the child because the above process is violated.

If a resource parent requests that SCR or SPRU remove a foster child immediately from his or her home, a prompt assessment of emergency service

availability is conducted by the assigned SPRU Worker, to determine whether any of the following would provide sufficient relief, including:

- Mobile crisis outreach;
- Homemaker services;
- Day or respite care;
- Mental/behavioral health/supportive counseling; or
- Emergency funds.

The SPRU Worker makes reasonable efforts to stabilize the placement until the next workday. If the resource parent persists in his or her request to have the child removed, however, the resource parent should be:

- Encouraged to keep the child until the next work day, when the substitute care provider can consult the assigned Worker and Supervisor. He or she is told that SCR and, if necessary, SPRU submits a report which directed to that Worker and Supervisor at the start of next work day, advising him or her of the crisis in the resource home;
- Counseled to put the events, child's behavior, and other cause(s) for the request for removal into perspective. Alternative arrangements should be discussed and their feasibility assessed;
- Sensitized to the process of changing placements during non-business hours, as opposed to during the workday, when full agency and community resources are available;
- Reminded of the agreement to provide the agency with 15 days prior notification; and
- When, and if, the foster child must be removed from placement, the SPRU Worker seeks input from the assigned Worker or Supervisor, to secure background information on the child, to be given to the emergency placement provider to assist with the child's adjustment; a case history update and a status report on the parent's readiness for the child to return home; and whether there are any interested relatives.

The SPRU Worker advises the SPRU Supervisor of the plan to change the child's placement (See CP&P-II-D-1-400, When a SPRU Worker is Required to Contact the SPRU Supervisor). The Supervisor may want to notify Local Office, Area Office, or Senior Staff, based on the nature or history of the particular case.

Before moving the child to a new resource home or to a relative's or prospective provider's home, the SPRU Worker confirms that the resource home is licensed and in "approved" status, or that an identified relative is not known to CP&P.

The SPRU Worker consults the SPRU Coordinator the next work day, if he or she feels that the resource parent(s) was inappropriate in his or her actions to have the child removed from the home. The SPRU Coordinator may then share this information with the assigned Worker's Supervisor and the Local Office Resource Family Support Unit.

9) SPRU Worker Safety - Personal Safety

SPRU Workers should take precautions to assure his or her own personal safety when conducting fieldwork, particularly at night, in volatile situations, in inner city neighborhoods or isolated areas, or when intervening with individuals who may be under the influence of undue stress, mental illness, drugs or alcohol.

Key Terms (Definitions):

- **Maggie's Law** - On August 5, 2003, "Maggie's Law" was enacted (P.L. 2003, c.143). It amended New Jersey's vehicular homicide statute, to state that proof that the defendant fell asleep while operating a vehicle after having been without sleep for a period in excess of 24 consecutive hours may give rise to an inference that the defendant was driving recklessly. Reckless operation of a vehicle is one of the elements of the crime of vehicular homicide.
- **MACC** - Medical Assistance Customer Center (MACC) is a valuable resource for field staff regarding Medicaid policy and procedures. The Division of Medical Assistance and Health Services operate Medical Assistance Customer Centers throughout the State

The Medical Assistance Customer Centers provide an array of services to the beneficiary and provider communities including but not limited to:

- Serving as a liaison to providers of health services;
- Providing information about Medicaid to recipients and members of the community;
- Providing information about Medicaid to, and cooperating with, appropriate agencies in order to ensure maximum utilization of the services available through the Medicaid Program;
- Providing prior authorization of services;
- Providing service referrals; and
- Providing information, advice and counsel about New Jersey Care 2000, which is managed health care.

Related Information:

- [CP&P-II-C-2-700](#), Removal of Children from Foster Homes.
- [CP&P-II-C-2-700](#), Considerations in Deciding Whether or Not to Remove/Disrupt
- [CP&P-II-D-2-300](#), Screening Kin Caregivers and Clearing DCF Resource Family Homes through NJS
- [CPP-IX-A-1-300](#) , Field Response Worker Safety Precautions